

## REMARKS

At the time of the 3/7/06 Office Action, claims 1-2, 5-6, 9-10, 13-19 and 25-29 were pending in the instant application. Upon entry of Applicants' amendments to claims 1-2 and 18 and withdrawal of claim 6, the instant application will have pending claims 1-2, 5, 9-10, 13-19 and 25-29. The amendments are fully supported in the specification and do not introduce new matter.

### Election Requirement

Applicants thank the Examiner for clarification of the election requirement from the previous office action dated 6/10/05 in which the Examiner objected to claim 6 for being drawn to a non-elected invention. Applicants hereby withdraw claim 6 from consideration.

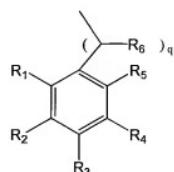
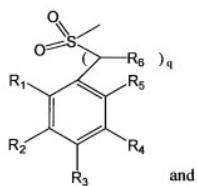
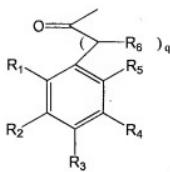
### Rejection Under 35 USC 112

Claim 18 stands rejected under 35 USC 112 2<sup>nd</sup> paragraph as being indefinite with respect to the phrase "S stereochemical configuration". Applicants herein amend claim 18 to clarify that it is the alpha carbon atom of formula I that has an S configuration. Support for the amendment can be found throughout the specification, for example, at page 15, line 16-17 and throughout the examples and tables of compounds.

### Rejection Under 35 USC 102(a)

Claims 1, 13, 14, 18 and 19 stand rejected under 35 USC 102(a). The Examiner alleges that compounds in examples 47 and 49 of reference N (WO99/06435, pages 114 and 115) fall within the scope of the instant claims. Applicants respectfully traverse.

The compounds identified by the Examiner are proline-tyrosine (Pro-Tyr) dipeptide derivatives. However compounds of the instant claims are not dipeptides and can not incorporate a proline residue. Instead, group A pending from the alpha-nitrogen of formula I must be a one of



Accordingly the rejection is in error and withdrawal thereof is respectfully requested.

Rejection Under 35 USC 102(b)

Claims 1, 2 and 14 stand rejected under 35 USC 102(b) as being anticipated by McKillop et (reference U), in particular compound 2c in scheme 1 on page 5521. The claims have been amended to remove H from the definition of group X<sub>1</sub>. Accordingly, the rejection is now moot and withdrawal thereof is respectfully requested.

Objections to the claims

Claims 5, 9, 10, 15-17 and 25-29 are objected to as being dependent upon a rejected base claim. In view of the amendments and arguments herein, the independent claims from which the objected claims depend are in condition for allowance. Accordingly it is unnecessary to rewrite the objected claims in independent form.

In view of Applicants' amendments and remarks presented above, the claims are believed to be in condition for allowance and early notice thereof is respectfully requested.

Respectfully submitted,

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Date: October 27, 2006

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\*A document pursuant to 37 CFR §11.9(b) is on file in the Office of Enrollment and Discipline as proof of the authorization of the above to prosecute this application.